

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO. 9:23-CV-81150-ROSENBERG**

ANDREW TATE & TRISTAN TATE,

Plaintiffs,

v.

EMMA GABBEY, et al.

Defendants.

ORDER REQUIRING EXPEDITED BRIEFING

THIS CAUSE is before the Court upon review of Defendants' Motion to Proceed Under Pseudonym and Motion for a Protective Order ("Motions"). *See* DE 29, 30. The Defendants' memorandum in support of the Motions represents that Plaintiffs' counsel is aware of the request and relief sought and does not agree to the relief. In this Order, the Court considers the Defendants' Motion to Proceed Under Pseudonym only.¹

The Eleventh Circuit has held that Fed. R. Civ. P. 10(a)'s requirement that "every pleading" in federal court 'must name all the parties'" is not merely to further administrative convenience but to "'protect[] the public's legitimate interest in knowing all of the facts involved, including the identities of the parties.'" *In re: Chiquita Brands Int'l, Inc.*, 965 F.3d 1238, 1247 (11th Cir. 2020) (quoting Fed. R. Civ. P. 10(a) and *Plaintiff B v. Francis*, 631 F.3d 1310, 1315 (11th Cir. 2011)). "Parties may use 'fictitious name[s]' only in 'exceptional case[s].'" *Id.* (quoting *Doe v. Frank*, 951 F.2d 320, 323 (11th Cir. 1992)).

The Defendants have argued in their Motions that this case is exceptional and thus warrants the use of pseudonyms to protect their privacy. Given the importance and time sensitivity of this issue, the Court affords the Plaintiffs an opportunity to respond on an expedited basis.

¹ The Court reserves discussion about Defendants' Motion for a Protective Order for a later date.

Accordingly, it is **ORDERED** that Plaintiffs shall file a response to Defendants' Motion to Proceed Under Pseudonym on or before September 14, 2023 at 12:00 PM EST.

DONE and ORDERED in Chambers, West Palm, Florida, this 12th day of September, 2023.

Copies furnished to:
Counsel of record



ROBIN L. ROSENBERG
UNITED STATES DISTRICT JUDGE